

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

- v. - :

RAFAEL CARABELLO, : 07 Cr.

a/k/a "Rafael Perez," and

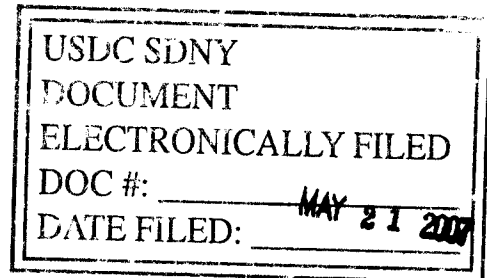
ISMAEL GONZALEZ, :

Defendant. :

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COUNT ONE

07 CRIM. 449
INDICTMENT



The Grand Jury charges:

1. From in or about November 2006, up to and including on or about February 21, 2007, in the Southern District of New York and elsewhere, RAFAEL CARABELLO, a/k/a "Rafael Perez," and ISMAEL GONZALEZ, the defendants, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that RAFAEL CARABELLO, a/k/a "Rafael Perez," and ISMAEL GONZALEZ, the defendants, and others known and unknown, would and did distribute, and possess with intent to distribute, a controlled substance, to wit, one hundred grams and more of mixtures and substances containing a detectable amount of heroin, in violation of Sections 812, 841(a)(1) and 841(b)(1)(B) of Title 21, United States Code.

OVERT ACT

3. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York:

a. On or about February 21, 2007, RAFAEL CARABELLO, a/k/a "Rafael Perez," and ISMAEL GONZALEZ, the defendants, met an undercover law enforcement officer inside a restaurant in the Bronx, New York and gave the undercover law enforcement officer approximately 600 grams of heroin.

(Title 21, United States Code, Section 846.)

COUNT TWO

4. On or about February 21, 2007, in the Southern District of New York, RAFAEL CARABELLO, a/k/a "Rafael Perez," and ISMAEL GONZALEZ, the defendants, unlawfully, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, 100 grams and more of mixtures and substances containing a detectable amount of heroin.

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(B); Title 18, United States Code, Section 2.)

FORFEITURE ALLEGATION

5. As a result of committing the controlled substance offenses alleged in Counts One and Two of this Indictment, RAFAEL CARABELLO, a/k/a "Rafael Perez," and ISMAEL GONZALEZ, the defendants, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from

any proceeds the said defendant obtained directly or indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts One and Two of this Indictment.

Substitute Asset Provision

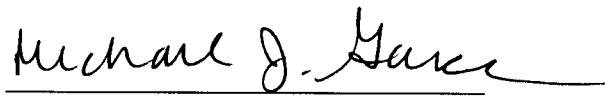
6. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants --

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846 and 853.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

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a/k/a "Rafael Perez," and

ISMAEL GONZALEZ,

Defendants.

INDICTMENT

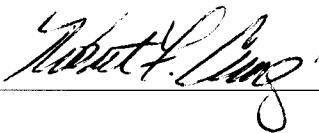
07 Cr. _____

(Title 21, United States Code, Sections
812, 841(a)(1), and 841(b)(1)(B))

MICHAEL J. GARCIA

United States Attorney

A TRUE BILL.



Foreperson.

5-21-07 Filed Indictment, Case assigned to TJ Daniels.

Pitman
U.S.M.J.